

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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THE UNITED STATES OF AMERICA,

- against -

ALWAR POURYAN,

Defendant.

MEMORANDUM AND ORDER

11 Cr. 111-6 (NRB)

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Presently before the Court is defendant Alwar Pouryan's ("Pouryan" or "defendant") motion, see ECF No. 300 ("Mot."), which is framed as a motion for reconsideration of our recent decision, dated February 18, 2025, see ECF No. 299, denying the defendant's second application for compassionate release or home confinement,¹ see ECF No. 295. While the defendant styles the instant motion as one for reconsideration, given that he is appearing pro se, we will not dwell on semantics.

Regardless of the characterization of the application, we consider its substance in conjunction with the original grounds for compassionate release. The submission falls well short of the high bar needed to satisfy the extraordinary or compelling standard under

¹ As we have set out in great detail in the past, Pouryan's current term of incarceration arises from his involvement in a conspiracy to acquire and transfer anti-aircraft missiles and provide material support to the Taliban, which sought modern weapons to defend their narcotics operations and destroy U.S. tanks. See ECF No. 24 ¶¶ 8-13. For this conduct, Pouryan, having being found guilty after a nine-day bench trial, was sentenced to the lowest term that was legally permissible based on applicable mandatory minimums: concurrent terms of imprisonment of 15 years and 25 years. See ECF Nos. 130, 158.

§ 3582(c)(1)(A) for compassionate release or the factors outlined in 18 U.S.C. § 3553(a) for a sentencing modification. The “new evidence” Pouryan presents, contrary to his assertions, supports the conclusion that he is receiving responsive medical care. We reached a similar conclusion in our rejection of Pouryan’s original application. There, we noted that “the medical records Pouryan provides make clear that, despite his assertions to the contrary, he is receiving regular treatment and care for his conditions.” See ECF No. 299 at 9. Therefore, we find no basis to revisit our determination denying his request for compassionate release or a sentencing modification.

Accordingly, the Clerk of the Court is directed to terminate the motion pending at ECF No. 300 and to mail a copy of this decision to Pouryan (No. 65030-054) at Federal Correctional Institution Oxford, P.O. Box 1000, Oxford, WI 53952.

Dated: April 16, 2025
New York, New York

A handwritten signature in blue ink, reading "Naomi Reice Buchwald", is written over a horizontal line.

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE